

SPECIAL COUNCIL MEETING

MAY 21, 2014

The Special Council Meeting of the Council of the County of Kaua'i was called to order by Council Chair Jay Furfaro at the Council Chambers, 4396 Rice Street, Room 201, Lihu'e, Kaua'i, on Wednesday, May 21, 2014 at 8:49 a.m., after which the following members answered the call of the roll:

Honorable Tim Bynum
Honorable Gary L. Hooser
Honorable Ross Kagawa
Honorable JoAnn A. Yukimura
Honorable Jay Furfaro

Excused: Honorable Mason K. Chock, Sr.
Honorable Mel Rapozo

Chair Furfaro: May I ask the Public Comment portion to be read?

PUBLIC COMMENT.

Pursuant to Council Rule 13(e), members of the public shall be allowed a total of eighteen (18) minutes on a first come, first served basis to speak on any agenda item. Each speaker shall be limited to three (3) minutes at the discretion of the Chair to discuss the agenda item and shall not be allowed additional time to speak during the meeting. This rule is designed to accommodate those who cannot be present throughout the meeting to speak when the agenda items are heard. After the conclusion of the eighteen (18) minutes, other members of the public shall be allowed to speak pursuant to Council Rule 12(e).

Chair Furfaro: Is there anyone in the audience who wishes to give comment on this item that has been posted for Executive Session? If not, can I get an approval of the agenda?

APPROVAL OF AGENDA.

Mr. Kagawa moved for approval of the agenda as circulated, seconded by Ms. Yukimura, and carried by a vote of 5:0:2 (*Mr. Chock and Mr. Rapozo were excused*).

Chair Furfaro: Thank you. Mauna Kea, may I ask you to come up to read the Executive Session item for today?

There being no objections, the rules were suspended.

MAUNA KEA TRASK, First Deputy County Attorney: Good morning
Chair and County Council. This is for ES-733.

EXECUTIVE SESSION:

ES-733 Pursuant to Hawai'i Revised Statutes Sections 92-4, 92-5(a)(4), and Kaua'i County Charter section 3.07(E), the purpose of this Executive Session is to provide Council with a briefing and request for authority to settle the case of Verna Rita v. County of Kaua'i, Civil No. CV12-00605 JMS RLP (U.S. District Court), and related matters. The briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

Chair Furfaro: Thank you, Mauna Kea. This Special Council meeting only covers one item as read by Mauna Kea. As the Executive Session item ES-733 was read by the First Deputy County Attorney, may I ask for a roll call vote to go into Executive Session?

There being no objections, the meeting was called back to order, and proceeded as follows:

Ms. Yukimura moved to convene into Executive Session for ES-733, seconded by Mr. Bynum, and carried by the following vote:

FOR EXECUTIVE SESSION:	Bynum, Hooser, Kagawa, Yukimura, Furfaro	TOTAL – 5,
AGAINST EXECUTIVE SESSION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Chock, Rapozo	TOTAL – 2,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Chair Furfaro: We have five “ayes” and two excused members. I believe we will be about fifteen (15) minutes in Executive Session. On that note, we are going to move into Executive Session. Thank you.

ADJOURNMENT.

There being no further business, the Special Council Meeting adjourned at 8:53 a.m.

Respectfully submitted,


JADE K. FOUNTAIN-TANIGAWA
Deputy County Clerk

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